

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MUHAMMAD KHAN,

Plaintiff,

v.

M. PAYTON, et al.,

Defendants.

Case No. 20-cv-03086-BLF (PR)

**ORDER DIRECTING PARTIES TO
RESPOND REGARDING
REFERRAL TO SETTLEMENT
PROCEEDINGS**

Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 against employees of San Quentin State Prison (“SQSP”). On November 15, 2023, Defendants filed a motion for summary judgment. Dkt. No. 72. As of the last court order, discovery remains pending. Dkt. No. 91.

The Court has established a Pro Se Prisoner Settlement Program under which certain prisoner civil rights cases may be referred to a neutral Magistrate Judge for settlement. This matter has been pending for over four years and discovery matters are still pending. Accordingly, the Court requests the parties to file notice whether they agree or disagree to a referral to settlement proceedings to attempt to resolve this matter.

If the parties agree to the referral, the Court will terminate without prejudice the pending summary judgment motion. In the event settlement proceedings are unsuccessful,

the Court will deem Defendants' summary judgment refiled after receiving notice from the parties and reschedule briefing on the matter.

All parties shall file their response to this order by checking ONE of the two boxes below, indicating their agreement or disagreement to a referral to settlement proceedings. The response shall be completed and returned to the Court **no later than August 21, 2024**.

Until the parties agree to settlement proceedings, the current filing date for Plaintiff's opposition, i.e., September 23, 2024, and Defendants' reply deadline of fourteen days thereafter shall remain.

The Clerk shall include 2 copies of this order to Plaintiff.

IT IS SO ORDERED.

Dated: August 5, 2024


BETH LABSON FREEMAN
United States District Judge

Indicate your response to a referral to settlement proceedings below and return to the Court by **August 21, 2024**:

☐ I **agree** to a referral of this matter to settlement proceedings.

☐ I **disagree** to a referral of this matter to settlement proceedings.

Date: _____

Name: _____

Signature